

1 HOUSE BILL 153

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Al Park

5
6
7
8 FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

9
10 AN ACT

11 RELATING TO JURIES; REQUIRING UPDATES OF JURY DATABASES TO
12 OCCUR EVERY SIX MONTHS RATHER THAN EVERY MONTH.

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 Section 1. Section 38-5-3 NMSA 1978 (being Laws 1991,
16 Chapter 71, Section 2, as amended) is amended to read:

17 "38-5-3. SOURCE FOR JUROR SELECTION.--

18 A. Each county clerk shall make available to the
19 secretary of state a database of registered voters of the
20 clerk's county. The secretary of state shall preserve and make
21 available to the department of information technology, by
22 electronic media, a database of New Mexico registered voters,
23 by county, which shall be updated [~~monthly~~] every six months.

24 The director of the motor vehicle division of the taxation and
25 revenue department shall make available by electronic media to

.174211.1SA

underscored material = new
[bracketed material] = delete

underscoring material = new
[bracketed material] = delete

1 the department of information technology a database of driver's
2 license holders in each county, which shall be updated
3 [~~monthly~~] every six months. The secretary of taxation and
4 revenue shall make available to the department of information
5 technology, by electronic media, a database of New Mexico
6 personal income tax filers by county, which shall be updated
7 [~~quarterly~~] every six months. The updates shall occur in June
8 and December.

9 B. The department of information technology shall
10 program the merger of the registered voter, driver's license
11 and personal income tax filer databases from each county to
12 form a master jury database and write a computer program so
13 that a random selection of jurors can be made. A
14 discrimination shall not be exercised except for the
15 elimination of persons who are not eligible for jury service.
16 The administrative office of the courts shall provide
17 specifications for the merging of the registered voter,
18 driver's license and personal income tax filer databases. The
19 merged database information shall be the database that produces
20 the random jury list for the selection of petit or grand jurors
21 for the state courts.

22 C. The court shall, by order, designate the number
23 of potential jurors to be selected and the date on which the
24 jurors are to report for empaneling. Within fifteen days after
25 receipt of a copy of the order, the administrative office of

.174211.1SA

underscoring material = new
[bracketed material] = delete

1 the courts shall provide the random jury list to the court.
2 The department of information technology shall print the random
3 jury list and jury summons mailer forms within ten days after
4 receiving the request from the administrative office of the
5 courts. Upon issuance of the order, the department of
6 information technology shall draw from the most current
7 registered voter, driver's license and personal income tax
8 filer databases to create the random jury list.

9 D. The department of information technology may
10 transfer the master jury database to a court that has
11 compatible equipment to accept such a transfer. The court
12 accepting the master jury database shall transfer the
13 information to a programmed computer used for the random
14 selection of petit or grand jurors."

15 - 3 -
16
17
18
19
20
21
22
23
24
25